

CARLIE CHRISTENSEN, Acting United States Attorney  
GREGORY C.J. LISA, Trial Attorney, U.S. Department of Justice, Organized Crime &  
Racketeering Section  
ROBERT S. TULLY, Trial Attorney, U.S. Department of Justice, Organized Crime &  
Racketeering Section  
Attorneys for the United States of America  
1301 New York Avenue, N.W., Suite 700  
Washington, D.C. 20005  
Telephone: (202) 616-4340; Facsimile: (202) 514-3601

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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	Case No. 07-CR-00423
	:	
vs.	:	
	:	UNITED STATES' RESPONSE
EGOR MICHAILOVICH CHERNOV	:	TO DEFENDANT'S MOTION
a/k/a Vasko Svetlinov Aleksandrov,	:	TO UNSEAL THE
	:	PRESENTENCE REPORT
Defendant.	:	

UNITED STATES' RESPONSE TO DEFENDANT'S MOTION  
TO UNSEAL THE PRESENTENCE REPORT

The United States of America, by and through its undersigned attorneys, respectfully moves the Court for an Order to (1) authorize release of the presentence report in the above-captioned case to Mr. Thomas Wooldridge, newly-retained counsel for Mr. Chernov in the above-captioned case; and (2) authorize release of discovery to counsel to Mr. Wooldridge, counsel for Mr. Chernov, and with the Order that further dissemination of such discovery shall not be authorized absent express permission of the Court. In support of such motion, the United States submits as follows:

1. Mr. Wooldridge has been retained by Mr. Egor Chernov to represent him in a potential § 2255 petition. This petition has not been filed, and thus the United States has taken no position on it.

2. As stated in Defendant's motion, in order for counsel to determine whether there are adequate grounds for such an appeal, Mr. Wooldridge requires access to the sentencing report and certain other materials to determine whether there are adequate grounds for such an appeal.

3. Defendant's motion, filed April 8, 2010, requests that the Presentence Report be unsealed. However, that motion, if granted, would release the Presentence Report publicly, contrary to the Court's typical practice. Rather, the United States respectfully submits that the Court should authorize Mr. Wooldridge to have access to the Presentence Report, but that it remain under seal.

4. On April 9, 2010, counsel for the United States and Mr. Wooldridge discussed the potential petition, and agreed – pending the Court's approval – that for any sealed documents in the above-captioned case, including the Presentence Report, and for any relevant document or other material covered by the discovery protective order in this case, Mr. Wooldridge shall be authorized to have access to such documents, but shall not transmit them to any third party absent express Order of the Court. As in the original protective order, any violation of the Order shall be punishable by contempt of Court.

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5. Wherefore, the United States respectfully requests that the Court enters the attached proposed Order, which has been agreed to by the parties.

Respectfully submitted,

CARLIE CHRISTENSEN  
Acting United States Attorney

/s/ \_\_\_\_\_  
GREGORY C.J. LISA  
ROBERT TULLY  
U.S. Department of Justice  
Trial Attorneys

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT on this 9<sup>th</sup> day of April 2010, I have electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which sent notification of such filing to the following:

Carlos Esqueda

[Carlos.esqueda@usdoj.gov](mailto:Carlos.esqueda@usdoj.gov), [juliealmand@usdoj.gov](mailto:juliealmand@usdoj.gov)

Dmitry Y. Gurovich

[Gba\\_law@yahoo.com](mailto:Gba_law@yahoo.com)

Daniel Wayne McKay

[dmmckay@hmho-law.com](mailto:dmmckay@hmho-law.com), [ssmith@hmho-law.com](mailto:ssmith@hmho-law.com)

Jerome H. Mooney

[jerrym@mooneylaw.com](mailto:jerrym@mooneylaw.com), [jmooney@mooneylaw.com](mailto:jmooney@mooneylaw.com)

Jerry D. Reynolds

[jridaho@hotmail.com](mailto:jridaho@hotmail.com)

Thomas Wooldridge

[wooldridge@wjlawoffice.com](mailto:wooldridge@wjlawoffice.com)

/s/  
Gregory C.J. Lisa